

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

YOHAN WEBB,

Plaintiff,

vs.

MIKE STREETER, et al.,

Defendants.

**4:21CV3058**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff's motion for permission to file motions to compel discovery (Filing 173), in which Plaintiff asks the court "to set a date before the deadline of 25 May 2022 for this plaintiff to file said motions to compel discovery from the defendants." The court does not understand this request. The case progression order specifies that "[m]otions to compel discovery shall be filed on or before May 25, 2022" (Filing 114, ¶ 3), and Plaintiff has since filed a motion to compel discovery (Filing 179) in advance of that deadline. No further permission was required from the court.

A motion to compel discovery may be filed under Rule 37 of the Federal Rules of Civil Procedure to compel a party to respond to previously served discovery requests. It cannot be used as a vehicle to conduct new discovery, which perhaps is what Plaintiff has in mind. The deadline for serving discovery requests expired on March 4, 2022 (see Filing 114, ¶ 1), and Plaintiff has not shown good cause for modifying the progression schedule. *See* Fed. R. Civ. P. 16(b)(4).

IT IS THEREFORE ORDERED that Plaintiff's motion for permission to file motions to compel discovery (Filing 173) is denied.

Dated this 31st day of May, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge